

1 RENE L. VALLADARES
2 Federal Public Defender
3 Nevada State Bar No. 11479
4 SUNETHRA MURALIDHARA
5 Assistant Federal Public Defender
6 Nevada State Bar No. 13549
7 411 E. Bonneville, Ste. 250
8 Las Vegas, Nevada 89101
9 (702) 388-6577/Phone
10 (702) 388-6261/Fax
11 Sunethra_Muralidhara@fd.org

12 Attorney for Jacob Forrest

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 UNITED STATES OF AMERICA,
16 Respondent/Plaintiff,
17 v.
18 JACOB FORREST,
19 Petitioner/Defendant.

20 Case No. 2:12-cr-223-GMN-VCF

21 **STIPULATION TO DISMISS
MOTION TO VACATE WITHOUT
PREJUDICE PURSUANT TO
FED. R. CIV. PRO. 41(a)(1)(A)(ii)**

22 IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the
23 Respondent, Appellate Chief and Assistant United States Attorney Elizabeth Olson White, and
24 counsel for the Petitioner, Sunethra Muralidhara, Assistant Federal Public Defender, that
25 Petitioner's Motion to Vacate, ECF No. 76, be dismissed pursuant to Fed. R. Civ. Pro.
26 41(a)(1)(A)(ii).

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1 In light of the fact that Defendant was released from custody in late 2017, the
2 government consents to dismissal of his motion to vacate without prejudice.

3 DATED this 29th day of May, 2018.

4 RENE L. VALLADARES
5 Federal Public Defender

DAYLE ELIESON
United States Attorney

6 */s/ Sunethra Muralidhara*
7 By _____
8 SUNETHRA MURALIDHARA
9 Assistant Federal Public Defender

10 */s/ Elizabeth Olson White*
11 By _____
12 ELIZABETH OLSON WHITE
13 Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Respondent/Plaintiff
v.
JACOB FORREST,
Petitioner/Defendant

Case No. 2:13-cr-00168-GMN-CWH-1

**[PROPOSED] ORDER DISMISSING
MOTION TO VACATE WITHOUT
PREJUDICE AND VACATING
HEARING**

Having received a stipulation to dismiss the Petitioner's Motion to Vacate, ECF No. 76.

IT IS HEREBY ORDERED that Petitioner's Abridged Motion to Vacate, ECF No. 71, and Motion to Vacate, ECF No. 76, be DISMISSED WITHOUT PREJUDICE. The Court does not make determination as to whether any future filing would be considered a second or successive petition.

IT IS FURTHER ORDERED that the hearing scheduled for June 25, 2018 at 11:00 a.m. in courtroom 7D, is VACATED.

DATED this 14 day of May, 2018.

June


GLORIA M. NAVARRO
UNITED STATES DISTRICT JUDGE